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08/942, 415 10/16/97 KURODA

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 EXAMINER

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ART UNIT	PAPER NUMBER
2622	<i>28</i>

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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Paper No. 28

Application Number: 08/942,415

Filing Date: 10/16/97

Appellant(s): Kuroda et al

**RECEIVED**

AUG 14 2001

Technology Center 2600

Thomas E. Brown  
For Appellant

**EXAMINER'S ANSWER**

This is in response to appellant's brief on appeal filed 7/31/2001.

**(1) *Real Party in Interest***

A statement identifying the real party in interest is contained in the brief.

**(2) *Related Appeals and Interferences***

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A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

**(3) *Status of Claims***

The statement of the status of the claims contained in the brief is correct.

**(4) *Status of Amendments After Final***

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) *Summary of Invention***

The summary of invention contained in the brief is correct.

**(6) *Issues***

The appellant's statement of the issues in the brief is correct.

**(7) *Grouping of Claims***

The rejection of claims 1-13 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. See 37 CFR 1.192(c)(7).

**(8) *ClaimsAppealed***

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(9) *Prior Art of Record***

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The following is a listing of the prior art of record relied upon in the rejection of claims under appeal.

5,412,490	KOJIMA	5-1995
5,796,496	ONO	8-1998
5,078,380	KITAZAWA	1-1992
0673147A2	SAKAUE	3-1995

**(10) *Grounds of Rejection***

The following ground(s) of rejection are applicable to the appealed claims:

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1, 2, 3, 6, 7, 8, 11, and 12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kojima et. al. (hereinafter referred to as Kojima) (U. S. 5,412,490) in view of Ono (U. S. 5,796,496) and Kitazawa (U. S. 5,078,380).

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With respect to **claims 1, 6, and 11**, Kojima discloses a printing unit provided with an image reading unit comprising a main body (1); a recorded paper discharge tray (21, figure 3) located at the top of the unit; a document sheet supply tray (6) located below the recorded paper discharge tray (21); a document sheet outlet tray (7) located below the document sheet supply tray (6); a paper cassette (13) located below the document sheet outlet tray (7); a scanning unit (5) for transporting the document sheet from the document sheet supply tray (6) to the document sheet outlet tray (7); a recording part (image forming unit) (15) that transports the recording sheet from the paper cassette (13) to the recording sheet discharge tray (21), with the paper cassette (13), recorded paper discharge tray (21), document sheet supply (6) and document sheet discharge trays (7) being confined within a width of the device if viewed from the left of figure 3.

Kojima differs from **claims 1 and 6** in that although he discloses a paper cassette (13) below the document sheet outlet tray (7), he does not clearly disclose a multi-purpose tray below the document sheet outlet tray, and a recording sheet supply part located below the main body and independent of the multi-purpose tray for holding stacked recording sheets which are supplied one at a time, the recording sheet supply part including a paper cassette which is attachable and detachable from the image recording device.

Ono discloses an image processing system comprising a paper tray (which reads on a multi-purpose tray) (94, figure 1 and column 6, lines 1-2) for holding recording media (column 5, line 66 to column 6, line 2). It is also obvious from figure 1 that a user may be able to load paper sheets directly onto the tray (94). Therefore, it would have been obvious to one of ordinary skill

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in the art at the time of the invention to have modified Kojima wherein a multi-purpose tray would be located below the document sheet outlet tray in place of the paper cassette (13). It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kojima by the teaching of Ono in order to improve ease of operation by giving the user better access to the recording sheet tray.

Ono also discloses a recording sheet supply part (104) (comprising paper cassettes 98, 100, and 102, figure 1), provided below the main body (2) (which reads on the cassettes (98, 100, and 102 are removably arranged in a pedestal of the copying machine) (column 6, lines 4-6), which are attachable to and detachable from the image recording device (which reads on removably arranged in the copy machine) (column 6, lines 4-6), the paper cassette(s) capable of being manually loaded (which reads on removably arranged in the copy machine) (column 6, lines 4-6). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kojima wherein a recording paper supply part which is attachable to and detachable from the image recording device would have been installed below a multi-purpose tray. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kojima by the teaching of Ono in order to allow an operator to alternately select different recording sheets as disclosed by Ono in column 6, lines 38-40.

Kojima as modified also differs from **claims 1 and 6** in that he does not disclose a base having an exposed upper surface and a multipurpose tray provided on the exposed upper surface of the base.

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Kitazawa discloses a copier (figure 1) comprising a base having an exposed upper surface and a multipurpose tray (25) provided on the exposed upper surface of the base (figure 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kojima as modified wherein the copier has a base having an exposed upper surface and a multipurpose tray is provided on the exposed upper surface of the base. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kojima as modified by the teaching of Kitazawa in order to allow a user to easily feed papers manually onto the tray.

With respect to **claims 2 and 7**, Kojima discloses the paper cassette (13) (multi-purpose tray) is connected horizontally so that a substantially space is between the paper cassette (13) (multi-purpose tray) and the document sheet outlet tray (7).

With respect to **claims 3 and 8**, Ono discloses that the recording supply sheet supply part comprises a cassette (column 6, lines 1-20) holding recording sheets in a stacked state (P, figure 1), and the paper cassettes are attachable to and detachable from the image recording device (which reads on removably arranged in the copy machine) (column 6, lines 4-6).

With regard to **claim 12**, Kojima discloses that the paper cassette (13) (multi-purpose tray) defines the bottom of the recording device (15).

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 4, 5, 9, 10, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kojima in view of Ono and Kitazawa as applied to claims 1 and 6 above, and further in view of Sakaue (EUR 0 673 146 A2).**

Kojima as modified differs from **claims 4, 5, 9, 10, and 13** in that he does not clearly disclose that the operation of the image recording device and paper cassette insertion/removal actions are performed by a user facing at right angles to a document transport direction and a recording sheet transport direction. Sakaue discloses an image processor in which operation of the image recording device and paper cassette insertion/removal actions are performed by a user facing at right angles to a document transport direction and a recording sheet transport direction (figure 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the device of Kojima as modified wherein paper cassette insertion/removal actions would be performed by a user facing at right angles to a document transport direction and a recording sheet transport direction. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the device of Kojima as modified in order to achieve ease of use.

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**(11) Response to Argument**

Applicant submits that the cited references fail to disclose "*a main body including:....a base having an exposed upper surface; and a multi-purpose tray provided on said upper surface of said base and below the document sheet outlet tray holding recording sheets, wherein a user loads said recording sheets directly onto said multi-purpose tray*". The Examiner respectfully disagrees.

As stated in paragraph 2 above, Kojima differs from **claims 1 and 6** in that although he discloses a paper cassette (13) below the document sheet outlet tray (7), he does not clearly disclose a multi-purpose tray below the document sheet outlet tray. Kojima could be modified by utilizing the paper tray of Ono (which reads on a multi-purpose tray) (94, figure 1 and column 6, lines 1-2) for holding recording media (column 5, line 66 to column 6, line 2). This improves ease of operation by giving the user better access to the recording sheet tray. Kitazawa also **clearly and conclusively** discloses in figure 1 a main body (21) including a base having an exposed upper surface (*which clearly reads on the surface on which tray 25 rests*), and a multi-purpose tray (25) provided on the upper surface of the base. Again, figures 1 and 3 of Kitazawa clearly disclose a feeding tray (25) on an exposed upper surface of the base of the copier. Applicant is reminded that references are evaluated by what they suggest to one versed in the art, rather than by their specific disclosures.

Applicant submits that Kitazawa discloses that the feeding tray (25) is provided on the right side of the body. The Examiner fails to see the relevance of this argument, since in the

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instant invention, Applicant's multi-purpose or feeding tray (6) is also on the right side on the main body (1) (see figures 1 and 2 of the instant specification).

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

MARK WALLERSON  
PATENT EXAMINER

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MEW  
August 10, 2001

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